

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF DELAWARE**

RENEE M. BUTZ)
)
Plaintiff,) C.A. No.: 05-495 (JJF)
)
v.)
)
LAWNS UNLIMITED LTD., and)
EDWARD FLEMING)
)
Defendants.)

**DEFENDANTS' RESPONSES TO PLAINTIFF'S SECOND
REQUEST FOR PRODUCTION OF DOCUMENTS**

Defendants Edward Fleming and Lawns Unlimited Ltd. make the following responses to Plaintiff Renee M. Butz's Second Request for Production of Documents:

Preliminary Statement and General Objections

1. Defendants object to Plaintiff's document requests to the extent that they seek discovery of:
 - Information or documents subject to the attorney-client privilege, or any other privilege;
 - Information or documents constituting the work product of Defendant or its attorneys; and
 - Information generated or documents prepared in anticipation of litigation or for trial by or for Defendant or its agents and representatives.
2. Defendants object to each document request to the extent that it calls for confidential or private information or documents, including, without limitation, trade secrets, personnel or competitively sensitive information or documents, unless and until the information or documents are the subject of a suitable protective order. Defendants reserve the right to produce documents and designate certain documents as "confidential" based upon the expectation that the parties will reach agreement on the terms of a protective order. Defendants

reserve the right, however, to withhold further production to the extent that the parties are unable to reach agreement on the terms of a protective order or to the extent that Plaintiff withholds its production pending finalization of a protective order.

3. Defendants object to each document request to the extent that it is overbroad, unduly burdensome and attempts to impose duties on Defendants that are not provided for by the Federal Rules of Civil Procedure or other applicable law.

4. Defendants have made diligent inquiry but, given the breadth of the information requested, Defendant cannot be certain that it has produced "all" documents responsive to Plaintiff's requests. Defendants reserve the right to revise, correct, add to, supplement, and/or clarify any of their responses as may be necessary.

5. Defendants reserve the right to retract any inadvertent disclosures of information or documents that are protected by the attorney-client privilege, the work product doctrine or any other applicable protection.

The responses given by Defendants are subject to these general objections as well as the objections, if any, made to each specific document request.

Specific Objections and Responses

15. Any and all documents, including but not limited to, Plaintiff's personnel file as well as I9 documentation and supporting I9 documents.

RESPONSE: Defendants object to this request to the extent that it is irrelevant and outside the scope of Rule 26. Subject to that objection, Defendants respond that all responsive, non-privileged documents have already been produced.

16. Any and all vacation/leave request forms completed by Defendants' employees between September 2002 thru March 2004.

RESPONSE: Defendants object to this request on the ground that it is vague, overly broad, unduly burdensome and does not identify with particularity the documents sought to be produced. Further, Defendants object to this request to the extent that it is irrelevant and outside the scope of Rule 26. Subject to those objections, Defendants respond that all responsive, non-privileged documents have already been produced.

17. Any and all vacation/leave request forms completed by Plaintiff's between September 2002 thru March 2004.

RESPONSE: All responsive non-privileged documents have already been produced.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca

William W. Bowser, Esquire (Bar I.D. 2239)
Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19801-0391
Telephone: (302) 571-5008
Facsimile : (302) 576-3476
wbowser@ycst.com; mdibianca@ycst.com
Attorneys for Defendants

DATED: August 16, 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RENEE M. BUTZ,)
)
)
Plaintiff,)
v.)
) C.A. No. 04-970-JJF
LAWNS UNLIMITED, LTD., and)
EDWARD FLEMING,)
)
Defendants.)
)

NOTICE OF SERVICE

I, Margaret M. DiBianca, Esquire, hereby certify that on **August 16, 2007**, two (2) true and correct copies of **DEFENDANTS' RESPONSES TO PLAINTIFF RENEE M. BUTZ'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS** were caused to be served by depositing same in the United States Certified Mail, Return Receipt Requested and U.S. Mail, postage prepaid to the following non-registered participant:

Renee M. Butz
58 Hickory Drive
Northeast, MD 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

William W. Bowser, Esquire (Bar I.D. 2239)
Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
E-mail: mdibianca@ycst.com
Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2007 I electronically filed NOTICE OF
DEFENDANTS' RESPONSES TO PLAINTIFF RENEE M. BUTZ'S SECOND REQUEST
FOR PRODUCTION OF DOCUMENTS with the Clerk of Court using CM/ECF, and, on the same day, caused two (2) copies of such Notice to be deposited in the U.S. Certified Mail, Return Receipt Requested and U.S. Mail, postage prepaid to the following non-registered participant:

Renee M. Butz
58 Hickory Drive
Northeast, MD 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

William W. Bowser, Esquire (Bar I.D. 2239)
Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
E-mail: mdibianca@ycst.com
Attorneys for Defendants

DATED: August 16, 2007